

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

193J0055

HOUSE BILL NO. 1110

Introduced by: Representatives Konold and Solum and Senator Schoenbeck

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding mopeds and
2 motorcycles.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 32-20-1 be amended to read as follows:

5 32-20-1. ~~As~~ Terms used in this chapter, ~~the following words shall mean:~~

6 (1) "Department," the Department of Public Safety;

7 (2) "Moped," a motor-driven or electric-powered cycle equipped with two or three
8 wheels. If a combustion engine is used, the maximum piston or rotor displacement
9 shall be fifty cubic centimeters regardless of the number of chambers in such power
10 source. The power source shall be equipped with a power drive system that functions
11 directly or automatically only, not requiring clutching or shifting by the operator after
12 the drive system is engaged;

13 (3) "Motorcycle," includes motorcycles, motorbikes, mopeds, bicycles with motor
14 attached, and all motor operated vehicles of the bicycle or tricycle type, whether the
15 motive power be a part thereof or attached thereto, and having a saddle or seat with
16 the driver sitting astride or upon it, ~~or a platform on which the driver stands,~~ but



1 excluding a tractor;

- 2 (4) "Off-road vehicle," any self-propelled, two or more wheeled vehicle designed
3 primarily to be operated on land other than a highway and includes, but is not limited
4 to, all terrain vehicles, dune buggies, and any vehicle whose manufacturer's statement
5 of origin (MSO) or manufacturer's certificate of origin (MCO) states that the vehicle
6 is not for highway use. Off-road vehicle does not include a farm vehicle as defined
7 in § 32-3-2.4.

8 Section 2. That subdivisions (9) and (10) of § 32-3-1 be amended to read as follows:

- 9 (9) "Moped," a motor-driven or electric-powered cycle equipped with two or three
10 wheels. If a combustion engine is used, the maximum piston or rotor displacement
11 shall be fifty cubic centimeters regardless of the number of chambers in such power
12 source. The power source shall be equipped with a power drive system that functions
13 directly or automatically only, not requiring clutching or shifting by the operator after
14 the drive system is engaged;

- 15 (10) "Motorcycle," includes motorcycles, motorbikes, mopeds, bicycles with motor
16 attached, and all motor operated vehicles of the bicycle or tricycle type, whether the
17 motive power be a part thereof or attached thereto, and having a saddle or seat with
18 the driver sitting astride or upon it, ~~or a platform on which the driver stands~~, but
19 excluding a tractor;

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